

# **EXHIBIT 5**

**From:** [Daniel Zemel](#)  
**To:** [David Grassi](#)  
**Cc:** [Chad Diamond](#); [Nicholas Linker](#); [Chad Echols](#); [Salley Odom](#)  
**Subject:** Re: Hallager v ARS Discovery Responses  
**Date:** Friday, August 20, 2021 3:41:59 PM  
**Attachments:** [image001.png](#)

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Sorry David.

Concerning settlement and mediation, Plaintiff demands [REDACTED]. Did you and Steve agree on a mediator? I will see if this proposed date works for my client.

On Fri, Aug 20, 2021 at 3:40 PM David Grassi <[David.Grassi@theecholsfirm.com](mailto:David.Grassi@theecholsfirm.com)> wrote:

Daniel,

Since I have not heard back from you regarding anything in my email below, and since the discovery window is quickly closing, we had no choice but to go ahead and set your client's deposition date. Please see the attached notice of deposition for your client, along with a cover letter serving same. I will also be sending a letter to the mediator shortly, since our deadline to mediate is also four weeks out.

As for deposition dates of my clients, they have indicated they have some availability during the first two full weeks of September. They cannot determine the exact availability without a topic list, since the designee would likely vary depending on the topics. Please forward that when you get a chance and we can get that date nailed down.

Let me know if you have any questions.

Thank you,

**David A. Grassi**

**Attorney**

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